# IAP6 Rec'd PCT/PTO 26 APR 2007

PTO-1390 (Rev. 09-2006)
Approved for use through 03/31/2007. OMB 0651-0021
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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TRANSMITTAL LETTER TO		ATTORNEY'S DOCKET NUMBER FHW-145US		
DESIGNATED/ELECTED CONCERNING A SUBMISSIO	•	U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		
	INTERNATIONAL FILING DATE	10/580577 PRIORITY DATE CLAIMED		
PCT/GB2004/004994	26 November 2004	26 November 2003		
TITLE OF INVENTION LOW ENERGY TRAINING CARTRIDGE	=			
APPLICANT(S) FOR DO/EO/US				
Michael Ernest SAXBY  Applicant herewith submits to the United State	es Designated/Elected Office (DO/EO/	(US) the following items and other information:		
<del></del>	s concerning a submission under 35 U.			
2. X This is a SECOND or SUBSEQUEN	NT submission of items concerning a si	ubmission under 35 U.S.C. 371.		
3. This is an express request to begin include items (5), (6), (9) and (21) ir	national examination procedures (35 L ndicated below.	J.S.C. 371(f)). The submission must		
4. The US has been elected (Article 3	1).			
5. A copy of the International Application	on as filed (35 U.S.C. 371 (c)(2))			
a. is attached hereto (required only	y if not communicated by the Internatio	nal Bureau).		
b. has been communicated by the	International Bureau.			
c. is not required, as the applicatio	n was filed in the United States Receiv	ring Office (RO/US).		
6. An English language translation of t	he International Application as filed (35	5 U.S.C. 371(c)(2)).		
a. is attached hereto.				
b. has been previously submitted t	under 35 U.S.C. 154(d)(4).			
7. Amendments to the claims of the In	ternational Application under PCT Artic	cle 19 (35 U.S.C. 371(c)(3))		
a. are attached hereto (required or	nly if not communicated by the Internat	ional Bureau).		
b. have been communicated by the	e International Bureau.			
c. have not been made; however,	the time limit for making such amendm	ents has NOT expired.		
d. have not been made and will no	t be made.			
8. An English language translation of t	he amendments to the claims under P	CT Article 19 (35 U.S.C. 371(c)(3)).		
9. x An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).				
An English language translation of t Article 36 (35 U.S.C. 371(c)(5)).	he annexes of the International Prelim	inary Examination Report under PCT		
Items 11 to 20 below concern docum	nent(s) or information included:			
11. An Information Disclosure Statem	ent under 37 CFR 1.97 and 1.98.			
12. An assignment document for record	ding. A separate cover sheet in compli	ance with 37 CFR 3.28 and 3.31 is included.		
13. A preliminary amendment.				
14. An Application Data Sheet under 3	37 CFR 1.76.			
15. A substitute specification.				
16. A power of attorney and/or change	e of address letter.			
17. A computer-readable form of the s	equence listing in accordance with Po	CT Rule 13 <i>ter</i> .2 and 37 CFR 1.821 – 1.825.		
18. A second copy of the published Int	ternational Application under 35 U.S.0	C. 154(d)(4).		
19. A second copy of the English lang	uage translation of the international a	pplication under 35 U.S.C. 154(d)(4).		
	•			

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U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION	S. APPLICATION NO. (if known, see 37 CFR 1.5) INTERNATIONAL APPLICATION NO. PCT/GB2004/004994		ATTORNEY'S DOCKET NUMBER FHW-145US				
20. X Other items or information:  Response to Missing Requirements Copy of 371 Formalities Letter Certificate of Express Mailing Return Receipt Postcard							
The follo	owing fees have	e been submitte	ed			CALCULATION	S PTO USEONLY
The following fees have been submitted 21. Basic national fee (37 CFR 1.492(a))			\$	11000201421			
22. Examination fee (37 CFR 1.492(c))  If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)			\$				
23. Search fee (37 CFR 1.492(b))  If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)			\$				
	TOTAL OF 21, 22					\$ 0.0	0
Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)).  The fee is \$250 for each additional 50 sheets of paper or fraction thereof.			orogram listing in an				
Total Sheets	Extra Sheets		additional 50 or fraction up to a whole number)		RATE		
- 100 =	/50 =		x \$250.00		\$		
			, examination fee, or the (37 CFR 1.492(h)).	oat	or declaration	\$	
CLAIMS	NUN	MBER FILED	BER FILED NUMBER EXTRA RATE		RATE		
Total claim		- 20 =		×			
Independent of		- 3 =		×			
MULTIPLE DEPI	ENDENT CLAIM(S	) (ir applicable)	TOTAL OF A	+	/E CALCUL ATIONS -	\$ 0.0	10
Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.			\$ 0.0	10			
SUBTOTAL = \$			\$ 0.0	00			
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).							
			AL NATIONAL FEE =	\$	0.00		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +			\$	0.00			
Sy an appropriate certa, creative and creati			\$				
			то	TAL	FEES ENCLOSED =	\$	0.00
						Amount to be refunded:	\$
						Amount to be charged	\$

Under the Paperwork Reduction Act of 1995, no persons are require	U. S. Patent and Tra	demark Office; U.S	PTO-1390 (Rev. 09-2006) ough 03/31/2007. OMB 0651-0021 B. DEPARTMENT OF COMMERCE plays a valid OMB control number.
a A check in the amount of \$	_ to cover the above fees is en	closed.	
b. Please charge my Deposit Account No. A duplicate copy of this sheet is enclosed.	in the amount of \$	0.00	to cover the above fees.
c. X The Commissioner is hereby authorized to charge Account No. 12-0080	any additional fees which may be	e required, or cred	lit any overpayment to Deposit
d. Fees are to be charged to a credit card. WARNII should not be included on this form. Provide	NG: Information on this form ma credit card information and author	y become public. orization on PTO-	Credit card information 2038
NOTE: Where an appropriate time limit under 37 CFR filed an granted to restore the International Applicatio	1.495 has not been met, a peti n to pending status.	tion to revive (37	7 CFR 1.137(a) or (b)) must be
		0	1
SEND ALL CORRESPONDENCE TO:	A	Mark	au mantaire
Anthony A. Laurentano	SIGN	ATURE ///	
LAHIVE & COCKFIELD, LLP		10	
One Post Office Square Boston, Massachusetts 02109-2127	- NANAT	Anthony A. L	aurentano
(617) 227-7400	NAME	<u>.</u>	
April 26, 2007			
CUSTOMER NUMBER: 00959	PEGI	38,2 STRATION NUMB	
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Docket No.: FHW-145US

(PATENT)

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Michael Ernest Saxby

Application No.: 10/580,577

Confirmation No.: 5637

Filing Date of

Art Unit: N/A

International Application: 26 November 2004

For: LOW ENERGY TRAINING CARTRIDGE

Examiner: Not Yet Assigned

### RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

MS PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed February 28, 2007, Applicant respectfully submits a Declaration, Petition and Power of Attorney, as well as a copy of the Notification of Missing Requirements.

Dated: April 26, 2007

Respectfully submitted,

Anthony A. Laurentano Registration No.: 38,220

LAHIVE & COCKFIELD, LLP

One Post Office Square

Boston, Massachusetts 02109-2127

(617) 227-7400

(617) 742-4214 (Fax)

Attorney/Agent For Applicant



#### United States Patent and Trademark Office



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

10/580,577

Michael Ernest Saxby

FHW145US

INTERNATIONAL APPLICATION NO.

PCT/GB04/04994

I.A. FILING DATE PRIORITY DATE

11/26/2004

11/26/2003

959 LAHIVE & COCKFIELD, LLP ONE POST OFFICE SQUARE BOSTON, MA 02109-2127

April. 28, 2007. MISSing Req. . 29, 2007 - FSO W/S

**CONFIRMATION NO. 5637** 371 FORMALITIES LETTER OC000000022672650

Date Mailed: 02/28/2007

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/25/2006
- Copy of the International Search Report filed on 05/25/2006
- Preliminary Amendments filed on 05/25/2006
- Information Disclosure Statements filed on 05/25/2006
- U.S. Basic National Fees filed on 05/25/2006
- Priority Documents filed on 05/25/2006

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

• Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION. WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web. https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <a href="http://www.uspto.gov/ebc.">http://www.uspto.gov/ebc.</a>

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/580,577	PCT/GB04/04994	FHW145US

FORM PCT/DO/EO/905 (371 Formalities Notice)

## **Certificate of Express Mailing Under 37 CFR 1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 956 466 107 US in an envelope addressed to:

MS PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

on	April 26, 2007
	Date

Signature

Anthony A. Laurentano

Typed or printed name of person signing Certificate

38,220 (617) 227-7400

Registration Number, if applicable Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Copy of 371 Formalities Letter
Oath or declaration of the inventor(s)

Response To Notification Of Missing Requirements Under 35 U.s.c. 371

In The United States Designated/elected Office (1 page)

Transmittal Letter to the United States Designated-Elected Office and

Certificate of Express Mailing